IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 34894 of 2003(D)

PETITIONER:

RAMESH CHACKO, PENDANATH HOUSE,
OLAVAKKOD, PALAKKAD.

BY ADV. SRI.P.P.JACOB

RESPONDENTS:
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1. K.J. DINCY, D/O. JACOB,
OLANIKANNY HOUSE, IRINJALAKKUDA,
THRISSUR.

2. CANARA BANK, IRINJALAKUDA,
IRINJALAKUDA P.O., TRISSUR, REPRESENTED
BY ITS BRANCH, MANAGER.

BY ADV. SRI.P.K.RAVISANKAR -- R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 34894/2003 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE SALE AGREEMENT DT. 1/09/2003.

EXT.P2. COPY OF THE REGISTRATION CERTIFICATE.

RESPONDENT'S EXHIBITS

EXT.R2A. COPY OF THE DEED OF HYPOTHECATION DT. 26/3/2002 EXDECUTED BY THE R1 IN FAVOUR OF THE R2.

True copy

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KURIAN JOSEPH, J.

W.P.(C) No.34894 of 2003

Dated 14th March, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer :-

> "Issue a writ of mandamus or any other appropriate writ order or direction directing the second respondent not to take forcible custody of petitioner's vehicle KL-8-U 3042 Tata Sumo except by due process of law."

It is for the petitioner to approach the second respondent, in which case, the matter will be duly considered by the second respondent.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 14th March, 2007.